



In the United States Patent and Trademark Office

Serial Number: 09/505,951
Application. Filed: February 15, 2000
Applicant: Simon Robert Walmsley and Paul Lapstun
Application Title: Validation Protocol and System
Examiner/GAU: Zachary A. Davis/2137

Dated October 28, 2005
At: Balmain, NSW
Docket No. AUTH08US

REPLY

Commissioner for Patents
Washington, District of Columbia 20231

Dear Sir:

The Office Action dated August 23, 2005 has been carefully considered. The issues raised are respectfully submitted to be traversed and addressed below with reference to the relevant headings appearing under the Detailed Action of the Office Action.

"Double Patenting"

The Examiner has rejected claims 1 to 9, 11, and 14 to 19 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 to 3, 7, 9, 12, 13, 10, 11, 14, 15, 19, 22, 20, and 21 respectively of U.S. Patent No. 6,816,968. Accordingly, the applicant respectfully submits a Terminal Disclaimer (enclosed) under 37 CFR 1.321(c), in order to overcome the rejection

"Claim Rejections – 35 USC § 103"

The Examiner has rejected to claims 1 to 4, 6 to 15, and 17 to 20, under 35 U.S.C. §103(a), as being unpatentable over Sony Corporation (Kusakabe), European Patent EP 0817420, in view of Spies *et al*, US Patent Number 5,689,565.

The Applicant respectfully submits that the present claim 1 is patentable over Sony, in view of Spies.

In particular, the Applicant respectfully submits that Sony and Spies are concerned with different security systems, that is, Sony is concerned with authenticating IC cards, and a R/W, whereas Spies is concerned with providing a cryptography system architecture which supports an application requiring encryption, and in particular, describes encrypting and decrypting a document (see columns 12 to 13).